

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 021605.0101N1US  
First Inventor Jeffrey K. Harman  
Title MINING SYSTEM  
Express Mail Label No. EF 402 229 636 US

7548 U.S. PTO  
10/801382  
031604

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 34]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 17]
5. Oath or Declaration [Total Sheets 4]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
  - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Check for \$885.00 for filing fee.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: 10 / 183,741

Prior application information: Examiner John J. Kreck

Art Unit: 3673

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number

24283

OR ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

ROBERT C. HILTON

Registration No. (Attorney/Agent)

47,649

Signature

RC Hilton

Date

March 16, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2004</h2> <p style="font-size: small; margin-top: 10px;">Effective 10/01/2003. Patent fees are subject to annual revision.</p>		<b>Complete if Known</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	
		Filing Date	
		First Named Inventor	Jeffrey K. Harman
		Examiner Name	John J. Kreck
		Art Unit	3673
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) 885		Attorney Docket No.	021605.0101N1US

<p><b>METHOD OF PAYMENT</b> (check all that apply)</p> <p> <input checked="" type="checkbox"/> Check                   <input type="checkbox"/> Credit card                   <input type="checkbox"/> Money                   <input type="checkbox"/> Other                   <input type="checkbox"/> None             </p> <p> <input checked="" type="checkbox"/> Deposit Account:             </p> <div style="margin-top: 10px;">                 Deposit Account Number: <span style="border: 1px solid black; padding: 2px 20px;">50-2816</span> </div> <div style="margin-top: 10px;">                 Deposit Account Name: <span style="border: 1px solid black; padding: 2px 50px;">Patton Boggs LLP</span> </div> <p style="font-size: small;">The Director is authorized to: (check all that apply)</p> <p> <input type="checkbox"/> Charge fee(s) indicated below                   <input checked="" type="checkbox"/> Credit any overpayments  <input type="checkbox"/> Charge any additional fee(s) during the pendency of this application  <input checked="" type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.             </p> <p style="text-align: center;"><b>FEE CALCULATION</b></p> <p><b>1. BASIC FILING FEE</b></p> <table style="width: 100%; font-size: x-small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1001</td> <td>770</td> <td>2001</td> <td>385</td> <td>Utility filing fee</td> <td style="border: 1px solid black; text-align: center;">385</td> </tr> <tr> <td>1002</td> <td>340</td> <td>2002</td> <td>170</td> <td>Design filing fee</td> <td style="border: 1px solid black; text-align: center;"></td> </tr> <tr> <td>1003</td> <td>530</td> <td>2003</td> <td>265</td> <td>Plant filing fee</td> <td style="border: 1px solid black; text-align: center;"></td> </tr> <tr> <td>1004</td> <td>770</td> <td>2004</td> <td>385</td> <td>Reissue filing fee</td> <td style="border: 1px solid black; text-align: center;"></td> </tr> <tr> <td>1005</td> <td>160</td> <td>2005</td> <td>80</td> <td>Provisional filing fee</td> <td style="border: 1px solid black; text-align: center;"></td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (1)</b></td> <td style="border: 1px solid black; text-align: center;">(\$) 385</td> </tr> </tbody> </table> <p><b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b></p> <table style="width: 100%; font-size: x-small;"> <tr> <td>Total Claims</td> <td style="border: 1px solid black; text-align: center;">66</td> <td>-20 **</td> <td>=</td> <td style="border: 1px solid black; text-align: center;">46</td> <td>X</td> <td style="border: 1px solid black; text-align: center;">9</td> <td>=</td> <td style="border: 1px solid black; text-align: center;">414</td> </tr> <tr> <td>Independent Claims</td> <td style="border: 1px solid black; text-align: center;">5</td> <td>-3 **</td> <td>=</td> <td style="border: 1px solid black; text-align: center;">2</td> <td>X</td> <td style="border: 1px solid black; text-align: center;">43</td> <td>=</td> <td style="border: 1px solid black; text-align: center;">86</td> </tr> <tr> <td>Multiple Dependent</td> <td style="border: 1px solid black; text-align: center;">0</td> <td></td> <td></td> <td></td> <td>X</td> <td style="border: 1px solid black; text-align: center;">145</td> <td>=</td> <td style="border: 1px solid black; text-align: center;">0</td> </tr> </table> <table style="width: 100%; font-size: x-small; margin-top: 10px;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1202</td> <td>18</td> <td>2202</td> <td>9</td> <td>Claims in excess of 20</td> </tr> <tr> <td>1201</td> <td>86</td> <td>2201</td> <td>43</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>1203</td> <td>290</td> <td>2203</td> <td>145</td> <td>Multiple dependent claim, if not paid</td> </tr> <tr> <td>1204</td> <td>86</td> <td>2204</td> <td>43</td> <td>** Reissue independent claims over original patent</td> </tr> <tr> <td>1205</td> <td>18</td> <td>2205</td> <td>9</td> <td>** Reissue claims in excess of 20 and over original patent</td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (2)</b></td> <td style="border: 1px solid black; text-align: center;">(\$) 500</td> </tr> </tbody> </table> <p style="font-size: x-small; margin-top: 10px;">**or number previously paid, if greater; For Reissues, see above</p>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1001	770	2001	385	Utility filing fee	385	1002	340	2002	170	Design filing fee		1003	530	2003	265	Plant filing fee		1004	770	2004	385	Reissue filing fee		1005	160	2005	80	Provisional filing fee		<b>SUBTOTAL (1)</b>					(\$) 385	Total Claims	66	-20 **	=	46	X	9	=	414	Independent Claims	5	-3 **	=	2	X	43	=	86	Multiple Dependent	0				X	145	=	0	Large Entity		Small Entity		Fee Description	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	18	2202	9	Claims in excess of 20	1201	86	2201	43	Independent claims in excess of 3	1203	290	2203	145	Multiple dependent claim, if not paid	1204	86	2204	43	** Reissue independent claims over original patent	1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	<b>SUBTOTAL (2)</b>					(\$) 500	<p><b>3. 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1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																																																																																																																												
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																																																																																																																																																												
1252	420	2252	210	Extension for reply within second month																																																																																																																																																																																																																																																																																																												
1253	950	2253	475	Extension for reply within third month																																																																																																																																																																																																																																																																																																												
1254	1,480	2254	740	Extension for reply within fourth month																																																																																																																																																																																																																																																																																																												
1255	2,010	2255	1,005	Extension for reply within fifth month																																																																																																																																																																																																																																																																																																												
1401	330	2401	165	Notice of Appeal																																																																																																																																																																																																																																																																																																												
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																																																																																																																																																																												
1403	290	2403	145	Request for oral hearing																																																																																																																																																																																																																																																																																																												
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																																																																																																																												
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																																																																																																																																												
1453	1,330	2453	665	Petition to revive - unintentional																																																																																																																																																																																																																																																																																																												
1501	1,330	2501	665	Utility issue fee (or reissue)																																																																																																																																																																																																																																																																																																												
1502	480	2502	240	Design issue fee																																																																																																																																																																																																																																																																																																												
1503	640	2503	320	Plant issue fee																																																																																																																																																																																																																																																																																																												
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																																																																																																																																												
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)																																																																																																																																																																																																																																																																																																												
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																																																																																																																												
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																																																																																																																												
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																																																																																																																																												
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																																																																																																																																												
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																																																																																																																																																																												
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																																																																																																																																												
Other fee (specify) _____																																																																																																																																																																																																																																																																																																																
*Reduced by Basic Filing Fee Paid					SUBTOTAL (3) (\$) 0																																																																																																																																																																																																																																																																																																											

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	ROBERT C. HILTON	Registration No. (Attorney/Agent)	47,649
Signature		Telephone	(214) 758-6641
		Date	March 16, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jeffrey K. Harman et al.

Application No.: New Filing

Group No.: 3673

Filed: March 16, 2004

Examiner: John J. Kreck

For: MINING SYSTEM

MAIL STOP PATENT APPLICATION

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

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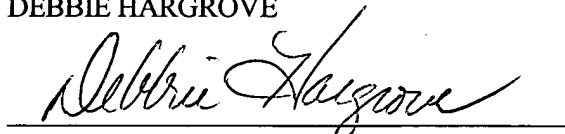
Date of Deposit MARCH 16, 2004

I hereby state that the following *attached* paper or fee:

1. Continuation Patent Application Cover Sheet (PTO/SB/05);
2. Fee Transmittal (PTO/SB/17);
3. Specification of 34 pages;
4. Seventeen (17) pages of formal drawings comprising 1-13a;
5. Preliminary Amendment;
6. Power of Attorney;
7. Copy of original Declaration and Power of Attorney;
8. Information Disclosure Statement with copies of Non Patent Literature;
9. Check in the amount of \$885.00 for filing fee; and
10. Acknowledgment Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to MAIL STOP PATENT APPLICATION, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

DEBBIE HARGROVE



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